

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

By way of this Amendment, new Claims 8-20 are presented for consideration. Thus, the claims currently pending in this application are Claims 1-20, with Claims 1, 8 and 15 being the only independent claims.

Appreciation is expressed to Examiner Lazo for indicating that Claims 2 and 4-7 would be allowable if rewritten in independent form.

This subject matter of this application pertains to a combination of a master cylinder device and a brake booster device of an input rod pulling type. As recited in independent Claim 1, the brake booster device comprises a brake booster possessing an interior partitioned into a constant pressure chamber and a variable pressure chamber by a diaphragm to which is secured a piston. The brake booster device also comprises a valve mechanism operated by a brake pedal to selectively communicate the variable pressure chamber with atmosphere and the constant pressure chamber, and a reaction mechanism transmitting axial movement of the diaphragm, occurring as a result of the pressure difference between the constant and variable pressure chambers, from the piston to an output rod. The master cylinder device comprises a master cylinder possessing a piston rod that generates braking pressure when pulled rearwardly by the output rod, with the output rod extending as the piston rod in the master cylinder of the master cylinder device. The master cylinder device also comprises floating-motion engaging means provided at the forward end of the piston rod to engage a first master piston with the piston rod

so that the first master piston is floatable relative to the piston rod but restrained from being moved forward relative to the piston rod in the axial direction.

The Official Action sets forth a rejection of original independent Claim 1 based on the disclosure contained in U.S. Patent No. 4,550,566 to *Bacardit et al.* That rejection is respectfully traversed for at least the following reasons.

The Official Action observes that *Bacardit et al.* discloses a master cylinder device and brake booster device combination in which the master cylinder device includes a master cylinder possessing a rod 9 and a primary piston. It is understood from the comments in the Official Action that the disclosed rod 9 corresponds to the claimed piston rod while the disclosed primary piston 6 corresponds to the claimed first master piston. In addition, the Official Action observes that the elastomeric washer 29b disclosed in *Bacardit et al.* corresponds to the claimed floating-motion engaging means.

However, the elastomeric washer 29b disclosed in *Bacardit et al.* is not a floating-motion engaging means for engaging the primary piston 6 with the rod 9 so that the primary piston 6 is floatable relative to the rod 9 but is restrained from being moved forward relative to the rod 9 in the axial direction. Rather, *Bacardit et al.* specifically states at the top of column three that the elastomeric washer 29b is a reaction device. Thus, the elastomeric washer/reaction device 29b disclosed in *Bacardit et al.* corresponds to the claimed reaction mechanism recited in independent Claim 1. Since the elastomeric washer/reaction device 29b disclosed in *Bacardit et al.* corresponds to the claimed reaction mechanism, there exists no other structure which can be said to correspond to the claimed floating-motion engaging means recited in independent Claim 1. Stated differently, independent Claim 1

recites both a reaction mechanism, which transmits axial movement of the diaphragm from the piston to the output rod, and a floating-motion engaging means, which engages the first master piston with the piston rod so that the first master piston is floatable relative to the piston rod but is restrained from being moved forward relative to the piston rod in the axial direction. *Bacardit et al.* lacks disclosure of both a reaction mechanism and a floating-motion engaging means as claimed.

The Official Action takes official notice that the details of the brake booster are known in the master cylinder and brake booster field, and so it would have been obvious to provide the device disclosed in *Bacardit et al.* with a reaction mechanism as claimed. However, even assuming such details are known in the art, there is no need to provide the device disclosed in *Bacardit et al.* with a reaction mechanism because the device disclosed in *Bacardit et al.* already includes a reaction mechanism in the form of the elastomeric washer/reaction device 29b.

In light of the foregoing, it is respectfully submitted that the claimed master cylinder device and brake booster device combination recited in independent Claim 1 is patentably distinguishable over the disclosure contained in *Bacardit et al.*

New independent Claim 8 defines that the master cylinder device comprises, in addition to the other claimed features, the first master piston and the piston rod, with the piston rod positioned with play in a through hole of the first master piston. In addition, Claim 8 recites the floating-motion engaging means. In the device disclosed in *Bacardit et al.*, there is no disclosure of the rod 9 being positioned with play in a through hole of the primary piston 6, together with the floating-motion engaging means.

New independent Claim 15 recites, together with the other claimed features, that the floating-motion engaging means is positioned forwardly of the reaction mechanism. As noted above, *Bacardit et al.* does not disclose both a reaction mechanism and a floating-motion engaging means, and thus cannot be said to disclose the claimed combination set forth in independent Claim 15.

For at least the reasons set forth above, it is respectfully submitted that the claimed subject matter at issue here is patentably distinguishable over the disclosure contained in *Bacardit et al.* Accordingly, withdrawal of the rejection of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: July 20, 2005

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620